

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA)	
)	
V.)	Crim. No. 15-cr-10271-WGY
)	
ALEX LEVIN)	
_____)	

DEFENDANT'S SECOND MOTION FOR AMENDMENT OF CONDITIONS OF RELEASE

The defendant, Alex Levin, moves pursuant to 18 U.S.C. § 3145(a)(2) that this Court amend the conditions of release ordered by this Court on May 12, 2016 (Dkt. 85). Specifically, the defendant requests that he be permitted to change his residence to the home of a family friend, located at 144 Moraine Street in Brockton, Massachusetts, and that he be permitted limited computer access while at work so that he may take a take a promotion that he has been offered. As grounds therefore, the defendant states the following:

On April 20, 2016, this Court allowed the Defendant's Motion to Suppress Evidence. (Dkt. 69). The Court also denied the prosecution's Motion for Reconsideration. (Dkt. 88). The prosecution filed a notice of appeal on May 17, 2016, and the case was transferred to the jurisdiction of the First Circuit Court of Appeals. (Dkt. 89, 91). The government has sought, and received, three extensions of time for filing its brief in the

First Circuit. The government filed their brief on October 26, 2016. The defendant's brief is due November 25, 2016.

The defendant has resided with his brother in a two bedroom apartment that is also occupied by his brother's wife and daughter since his release in April of 2016. The defendant has obtained part-time employment at a shipping center for Amazon. He seeks the Court's permission to move into an extra bedroom in a home owned by a family friend, Lev Shubov. The residence is located at 144 Moraine Street in Brockton. The move would allow the defendant to have some personal space after residing in a small two bedroom apartment with his brother's family for the past seven months. Probation Officer Chris Moriarty has visited the proposed residence and given his approval.

The defendant also requests permission to have limited computer access while at work so that he may take advantage of a promotion that he has been offered. The defendant began working part-time at an Amazon fulfillment center in August, 2016. Amazon has been impressed with his work and requested that he participate in management training. The defendant would like to seek this opportunity, but it requires that he have access to Amazon's internal system. His computer use would be limited to work-flow management and inventory management. No internet access is required, but the Amazon computers are capable of accessing the internet. The defendant would not access the

computer for any matter unrelated to his professional duties and would continue to refrain from any computer access outside of work.

The defendant was incarcerated from August 12, 2015, until the Magistrate Judge ordered his release on April 26, 2016. The District Court amended the conditions of release on May 12, 2016, by deleting house arrest and imposing a curfew from 8:00 p.m. to 7:00 a.m. The defendant's conditions of release were revised again on September 12, 2016, by extending his curfew from 8:00 p.m. to 9:00 p.m. The defendant has been in compliance with all conditions since his release.

The defendant's other conditions of release: report to Pretrial Services; remain in Massachusetts; maintain residence and do not move without prior Pretrial Services approval; refrain from excessive use of alcohol; refrain from drug use; submit to random alcohol and drug testing; submit to location monitoring with a GPS ankle bracelet; no internet use; and no unsupervised contact with children under 18 except his daughter, would remain in place. The condition that the defendant refrains from using the pool at his residence would no longer apply.

Pretrial Services, through Probation Officer Christopher Moriarty, assents to this motion.

WHEREFORE, the defendant moves that this Court amend the conditions of his release by permitting him to change his

residence to the home of a family friend, located at 144 Moraine Street in Brockton, Massachusetts, and that he be permitted to have limited computer access while at work so that he may take a promotion that he has been offered.

ALEX LEVIN
By His Attorneys,

CARNEY & ASSOCIATES

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October 28, 2016

Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on or before the above date.

J. W. Carney, Jr.

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AFFIDAVIT SUPPORTING
DEFENDANT'S SECOND MOTION FOR AMENDMENT OF CONDITIONS OF RELEASE

I, J. W. Carney, Jr., state that the facts contained in the attached motion are true to the best of my information and belief.

Signed under the penalties of perjury.

J. W. Carney, Jr.
J. W. Carney, Jr.

October 28, 2016